



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

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In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Planning and Procedures subcommittee, a meeting of the subcommittee was held on Tuesday, April 21, 2015 at 8:30am at the offices of the CRMC, Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI.

MEMBERS PRESENT

Anne Livingston, Chair
Paul E. Lemont, Vice Chair
Donald Gomez
Joy Montanaro
Angelo Liberti, DEM representative

STAFF PRESENT

Grover Fugate, CRMC Executive Director
Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Brian Goldman, Legal Counsel

Call to Order. Ms. Livingston called the meeting to order at 8:30 a.m.

Ms. Livingston called for a motion to approve the minutes of the January 20, 2015 subcommittee meeting.

Mr. Lemont seconded by Mr. Gomez moved to approve the meeting minutes of January 20, 2015. All voted in favor of the motion.

Item 5.A – Federal Consistency List. G. Fugate explained that the list of federal activities subject to a consistency review under the program is being updated and revised. He noted that if an activity is on the list federal agency activities and/or applications for federal permits/licenses/funding must receive a finding of consistency by the federally-approved coastal program. If such is not a listed activity and the activity is an issue of concern for the coastal program, then the program must seek and receive approval from NOAA to review such for consistency. G. Fugate noted that staff had compiled a comparison list of other state programs showing where activities were and were not reviewed by CZM programs and how those activities could be an issue of concern for the Rhode Island program. Mr. Gomez asked how the issues of Weaver Cove come into play with these revisions. G. Fugate and B. Goldman explained how the federal provisions for time of review and necessary information and data (NDI) are handled under federal consistency requirements. G. Fugate explained that the Ocean SAMP has clearly articulated what NDI is/are and that that same process and refinement is the first step to what are being looked at with these list changes. Mr. Lemont asked if the TF Greene airport expansion project was handled under federal consistency provisions. G. Fugate answered that it was.

G. Fugate stated that because changes to the list of federal activities subject to consistency reviews under a federally-approved coastal program are handled directly by seeking NOAA approval, no state rule-making is required and staff will soon be sending such a request to NOAA to incorporate these changes.

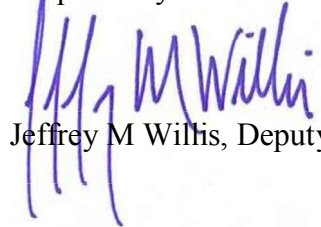
Item 5.B – Commercial Businesses, Barrier Spits and CRMC Water Types. G. Fugate explained that staff received notice if an alleged commercial activity in Ninigret Pond on a barrier spit when the Town of Charlestown presented photographs of an activity occurring in tidal waters/on a barrier during a hearing on an aquaculture application in front of the full council. Staff reviewed the evidence presented and found a website offering the activity which raised further questions, such as catering operations, liquor licensing, sanitation, and transportation; impacts to other uses that occur at the site; and, no apparent permits for said operation/activity. B. Goldman explained licensing issues vis-à-vis catering and the serving of liquor. Mr. Lemont asked about the need for Insurance. B. Goldman noted that that would most likely be contained in the issuance of a catering/liquor license. G. Fugate explained how staff and the Town of Charlestown have begun discussions on an MOU for issues surrounding aquaculture operations and that the ability of the town's harbormaster to act on behalf of the CRMC for such may be a comparable vehicle to act here.

Members stated that this activity was a commercial operation that required some permit authority from the agency, was potentially interfering with other members of the public to enjoy the site for their recreational purposes, and that staff should follow-up with a notice of violation to the operator.

The Chair directed staff to such.

ADJOURNMENT. Mr. Lemont, seconded by Mr. Gomez, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:42 a.m.

Respectfully submitted by



Jeffrey M Willis, Deputy Director